

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 SCA-01 DHA-02 CIAE-00 DODE-00
INR-07 NSAE-00 PA-01 USIA-06 PRS-01 SP-02 BIB-01
JUSE-00 /037 R

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APPROVED BY EUR/EE:CWSCHMIDT
L/M - MR. MALMBORG (PHONE)
SCA - MR. HENNEYMEYER (PHONE)
-----030355Z 041724 /63
R 030231Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY BELGRADE
INFO AMCONSUL ZAGREB

C O N F I D E N T I A L STATE 074158

E.O. 11652: N/A

TAGS: PFOR, YO, US

SUBJECT: ARTUKOVIC

REF: A) ZAGREB 193, B) 76 STATE 296394

1. INS IS CONSIDERING A NEW APPROACH IN THE ARTUKOVIC CASE AND HAS INFORMED THE DEPARTMENT TO DELAY SENDING ITS LETTER (REF B) UNTIL FURTHER NOTICE. THE NEW APPROACH WOULD INVOLVE RE-EXAMINATION OF GROUNDS FOR ISSUANCE OF THE STAY OF DEPORTATION IN 1959 ON THE BASIS OF THE TIME ELAPSED SINCE THEN. UNDER THE PROCEDURE, INS WOULD NOTIFY ARTUKOVIC HE HAS 30 DAYS IN WHICH TO APPLY FOR A NEW STAY OR IT WILL EXPIRE. THIS WOULD REQUIRE ARTUKOVIC OR HIS ATTORNEY TO COME BEFORE AN INS HEARING OFFICER TO SHOW CAUSE AS TO WHY THE STAY SHOULD NOT BE LIFTED. IF ARTUKOVIC LOSES HIS CASE
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BEFORE THE HEARING OFFICER, HE COULD, OF COURSE, APPEAL THE DECISION TO THE APPROPRIATE COURT. IN ANY CASE, A FIRM DECISION TO PROCEED ON THIS BASIS IS STILL PENDING IN THE JUSTICE DEPARTMENT.

2. ADDITIONALLY, REPRESENTATIVE HOLTZMAN HAS INTRODUCED A BILL THAT WOULD REQUIRE DEPORTATION OF ANY

ALIEN WHO HAD PARTICIPATED IN THE PERSECUTION, UNDER
NAZI GERMAN AUSPICES, OF ANY PERSON FOR REASON OF RACE,
RELIGION, OR CREED. THE LEGISLATION WOULD APPLY ONLY
TO THOSE WHO ENTERED AFTER 1952. THE LAW PREVIOUSLY
APPLICABLE HAD CONTAINED PROVISIONS DENYING ADMISSION
TO THOSE WHO HAD ENGAGED IN SUCH PERSECUTION. BECAUSE
ARTUKOVIC ENTERED BEFORE 1952, HOLTZMAN'S BILL WOULD
NOT APPLY TO HIM, BUT INS HAS ADVISED IT WOULD FACILITATE
ACTION AGAINST OTHER ALLEGED WAR CRIMINALS, THUS GENERALLY
TIGHTENING OUR POLICY ON THIS ISSUE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, PORNOGRAPHY, NAZISM, SPECIAL INTEREST GROUPS, POLITICAL TRIALS
Control Number: n/a
Copy: SINGLE
Sent Date: 03-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: JMSEYMOUR:DJW
Enclosure: DG ALTERED
Executive Order: GS
Errors: N/A
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ISecure: 1
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Litigation Codes:
Litigation History:
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Secure: OPEN
Status: NATIVE
Subject: ARTUKOVIC
TAGS: PFOR, CFED, YO, US, (ARTUKOVIC, ANDREJA)
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